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UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

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BENJAMIN ROBERT GALLEGOS,

Case No. 2:24-cv-1786-DAD-JDP (P)

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Plaintiff,

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v.

ORDER

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R. FERNANDEZ, *et al.*,

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Defendants.

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Plaintiff, a state inmate proceeding without counsel, has filed a civil rights action pursuant to 42 U.S.C. § 1983. The court previously screened plaintiff's complaint pursuant to 28 U.S.C. § 1915A(a). ECF No. 7. The court found that the complaint stated cognizable Eighth Amendment claims against three Doe defendants and defendant Fernandez. *Id*.

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Service on defendant Fernandez has been initiated. ECF No. 16. However, because an unknown person cannot be served until identified by name, service could not be initiated against Doe defendants. The court therefore provided plaintiff with three signed subpoena form so that he could seek documents from CDCR or other appropriate entity that would reveal the names of the Doe defendants. ECF No. 13.

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Based on the foregoing, it is hereby ORDERED that:

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1. The subpoenas submitted by plaintiff on November 22, 2024 are amended in that they

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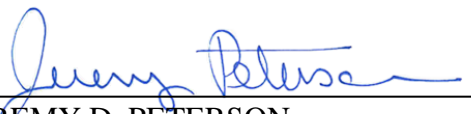shall be directed to CDCR's Office of Legal Affairs at 1515 S Street, Ste. 314 South, Sacramento, CA 95811.

2. The Clerk of Court shall serve a copy of this order and plaintiff's subpoenas on the U.S. Marshal.

3. Within fourteen days from the date of this order, the U.S. Marshal shall personally serve the subpoenas and a copy of this order upon CDCR's Office of Legal Affairs at 1515 S Street, Ste. 314 South, Sacramento, CA 95811.

4. Within ten days after personal service of the subpoena duces tecum, the U.S. Marshal shall file the return of service for the nonparties with the court.

IT IS SO ORDERED.

Dated: April 16, 2025

JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE

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